

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
NW/Corner Deer Park Road and * DEPUTY ZONING COMMISSIONER
Berryman's Lane
4th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District * Case No. 89-164-X
Irene E. Armstrong
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a synagogue/temple and school building at the subject location as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Kathleen Lisle, her daughter, appeared. Louise Jacobs, President, Temple Emanuel of Baltimore, Inc., the Contract Purchaser, appeared, testified and was represented by Richard Block, Esquire. Also appearing and testifying on behalf of the Petition were Paul Lee, Engineer, and Jon Hyman, a member of the Temple and resident of the vicinity. Also appearing on behalf of the Petition were numerous members of the Temple. Appearing in opposition was Jean Manelli, a resident of the Sunnybrook community.

Testimony indicated that the subject property consists of 18.08 acres, is located off of Deer Park Road and Berryman's Lane, and is zoned R.C. 4. The Contract Purchaser, Temple Emanuel of Baltimore, Inc., has entered into a contract for purchase of the subject property to construct a synagogue/temple and school building for its members. Testimony indicated that the Temple of Baltimore, Inc. has been in existence for the past 30 years and is currently located in the Owings Mills area. Due to the expansion of its membership and desire to locate in the Reisterstown/

Owings Mills area, Petitioners have chosen the proposed site and use in accordance with Petitioner's Exhibit 1.

Ms. Jacobs testified that the proposed plans are preliminary as the Temple was desirous of limiting its costs until a determination was made as to whether or not the proposed site would be granted the special exception requested. Ms. Jacobs testified currently the congregation consists of 250 members. As a result of a survey of the membership, the proposed area was selected. Ms. Jacobs indicated that the use of the synagogue/temple will be for religious services which are regularly held on Friday evenings, occasionally on Saturday mornings, and on high holidays approximately two times each year. Ms. Jacobs indicated the congregation has a regular attendance of between 50 to 100 people on Friday nights. Testimony indicated attendance during high holidays celebration is generally higher. Ms. Jacobs indicated that the proposed seating capacity for 1500 people is based upon a 10 to 15 year projection. She further testified that the proposed use of the building as a school is limited to religious education, supplementary to their regular education, for children 4 to 15 years of age. The proposed use of the building for school purposes will be one late afternoon or evening a week, and on Sundays.

Paul Lee, a registered professional engineer, testified regarding the proposed site and use as set forth in Petitioner's Exhibit 1. Mr. Lee indicated the site plan submitted takes into consideration the use of the property for a synagogue/temple. He indicated the Temple is aware of and can comply with all requirements imposed by the Health Department and the Department of Environmental Protection and Resource Management (DEPRM) as set forth in their written comments. As an expert witness, Mr. Lee further testified with respect to this particular project's ability to meet

the special exception requirements as set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). His testimony addressed each issue set forth therein and concluded that the proposed project would not violate any of the requirements.

Jon Hyman testified that he resides approximately one mile from the subject property. He indicated that, in his opinion, the proposed location is an excellent choice which will benefit the Temple without any adverse harm to the surrounding community.

Jean Manelli, a resident of the Sunnybrook development located approximately one-half mile from the subject site, testified that she is opposed to the proposed use of the property as a synagogue/temple. She indicated that in her opinion the development would cause traffic problems. In her opinion, the area is already over-developed and cannot handle the additional traffic.

In response to Ms. Manelli's comments, Petitioner and Ms. Manelli were advised that the Bureau of Traffic Engineering would be contacted for comments regarding the proposed use of the property. The Bureau of Traffic Engineering has submitted comments which have been reviewed and will be incorporated into the restrictions hereinafter placed on this request.

It is clear that the B.C.Z.R. permits the use proposed in a R.C. 4 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner

has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of November, 1988 that the Petition for Special Exception for a synagogue/temple and school building at the subject location in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the

Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The school building granted herein is limited to supplementary religious education for members and children of the congregation. Use of the building for school purposes shall not exceed two days a week, specifically, two afternoons or evenings a week, and one weekend day.

3) Petitioner must comply with the requirements of the Department of Environmental Protection and Resource Management (DEPRM), Bureau of Water Quality and Resource Management, as set forth in their letter dated August 30, 1988, attached hereto and made a part hereof.

4) Petitioner shall landscape the property at a minimum in compliance with the Baltimore County Landscaping Manual and as required by the Office of Current Planning, Landscape Planner, to insure that the use of the property along Deer Park Road and Berryman's Lane is in keeping with the residential character of the R.C. 4 zone.

5) Petitioner shall comply with the requirements of the Bureau of Traffic Engineering as set forth in their comments received November 17, 1988, attached hereto and made a part hereof.

6) Petitioner shall comply with the requirements of the Office of Planning as set forth in their comments dated November 4, 1988, attached hereto and made a part hereof.

7) CRG approval of this project is required.

8) Petitioners shall comply with all County requests and requirements regarding rights-of-way widenings, road widenings, and intersection improvements planned for Berryman's Lane at Deer Park Road.

ANN M. HASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a synagogue and school building in an R.C. 4 zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon approval of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Temple Emanuel of Baltimore, Inc.
(Type or Print Name)
Signature: Irene E. Armstrong
Address: 3301 Milford Mill Road
City and State: Baltimore, Maryland 21207
Legal Owner(s):
Irene E. Armstrong
(Type or Print Name)
Signature: [Signature]
(Type or Print Name)
Address: 2812 Beechland Ave. Phone No. 254-7374
City and State: Baltimore, Md. 21214
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Sally Piatte
Name
Address: 639 Main St. Phone No. 21136
City and State: Baltimore, Md. 21201
Attorney for Petitioner:
(Type or Print Name)
Address: 639 Main St. Phone No. 21136
City and State: Baltimore, Md. 21201
Attorney's Telephone No.: 21136

ORDERED By The Zoning Commissioner of Baltimore County, this 31st day of August, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of September, 1988, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

Paul L. P.R.

Paul Leo Engineering Inc.
301 W. Pennsylvania Ave.
Towson, Maryland 21204
301-824-5344

DESCRIPTION

18.08 ACRE PARCEL ±

N. SIDE DEER PARK ROAD & E. & W. SIDE OF BERRYMAN'S LANE
4TH ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point, said point being located at the intersection of Deer Park Road and Berryman's Lane thence running in or along said Deer Park Road

- (1) N 82°33' W 153.45 feet
- (2) N 74°51' W 211.34 feet and
- (3) N 71°54' W 351.15 feet, thence leaving said Deer Park Road
- (4) N 45°46' E 657.05 feet
- (5) N 29°10' E 565.27 feet
- (6) N 78°10' E 42.52 feet and
- (7) S 26°04' E 993.95 feet to the center of Berryman's Lane thence running along the center of Berryman's Lane
- (8) N 63°56' E 89.50 feet thence leaving said center of Berryman's Lane
- (9) S 26°04' E 85.00 feet
- (10) S 44°45' W 566.73 feet to the center of Deer Park Road thence running along the center of Deer Park Road
- (11) N 53°28' W 315.00 feet to the point of beginning. Containing 18.08 acres of land, more or less.

Engineers - Surveyors - Site Planners

7/19/88

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
NW Corner Deer Park Rd. and :
Berryman's Lane, 4th Election : OF BALTIMORE COUNTY
Dist.; 3rd Councilmanic Dist. :
IRENE E. ARMSTRONG, Petitioner : Case No. 89-164-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of October, 1988, a copy of the foregoing Entry of Appearance was mailed to Irene E. Armstrong, 2812 Beechland Ave., Baltimore, MD 21214, Petitioner; Louise Kaufman-Jacobs, President, Temple Emanuel of Baltimore, Inc., 3301 Milford Mill Rd., Baltimore, MD 21207, Contract Purchaser; and Sally Piatte, 639 Main St., Reisterstown, MD 21136, who requested notification.
Peter Max Zimmerman

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TOWSON, MARYLAND

District: 4th Date of Posting: October 8, 1988
 Posted for: Special Exception
 Petitioner: Temple Emanuel of Baltimore, Inc.
 Location of property: NW Corner Deer Park Road and Berryman's Lane
 Location of Sign: North side of Berryman's Lane, opposite east end of Deer Park Road, in front of subject property
 Remarks: _____
 Posted by: J. Robert Haines Date of return: October 21, 1988
 Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. Oct. 17, 1988
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Oct. 13, 1988.

THE JEFFERSONIAN,

S. Zeke Orlov
 Publisher

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the Petition for Special Exception
 CASE NUMBER: 89-164-X
 NW Corner Deer Park Road and Berryman's Lane
 4th Election District - 3rd Councilmanic
 Legal Owner(s): Irene E. Armstrong
 Contract Purchaser(s): Temple Emanuel of Baltimore, Inc.
 HEARING SCHEDULED: TUESDAY, NOVEMBER 1, 1988 at 9:30 a.m.
 IF PHASE II OF SNOW EMERGENCY PLAN IN EFFECT ON THIS DATE, CASE MAY BE RESCHEDULED. CALL 494-3391 TO CONFIRM NEW DATE.
 Special Exception: A synagogue and school building in an R-C 4 zone.
 In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.
 J. ROBERT HAINES
 Zoning Commissioner of Baltimore County

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., Oct. 13, 1988
 THIS IS TO CERTIFY that the annexed advertisement was published for one (1) successive week/days previous to the 13th day of October, 1988, in the

- ☐ Carroll County Times, a daily newspaper published in Westminster, Carroll County, Maryland.
☐ Randallstown News, a weekly newspaper published in Baltimore County, Maryland.
☒ Community Times, a weekly newspaper published in Baltimore County, Maryland.

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Per J. Robert Haines

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your petition has been received and accepted for filing this 31st day of August, 1988.

Temple Emanuel of Baltimore, Inc. - Contract Purchaser/
 Petitioner: Irene E. Armstrong - Legal
 Petitioner's Attorney: _____
 Received by: James E. Dyer
 Chairman, Zoning Plans Advisory Committee

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 494-3353

J. Robert Haines
 Zoning Commissioner

Date: 10/29/88

Temple Emanuel of Baltimore, Inc.
 3301 Milford Mill Road
 Baltimore, Maryland 21207

ATTN: MS. LOUISE KAUFMAN-JACOBS, President

Re: Petition for Special Exception
 CASE NUMBER: 89-164-X
 NW Corner Deer Park Road and Berryman's Lane
 4th Election District - 3rd Councilmanic
 Legal Owner(s): Irene E. Armstrong
 Contract Purchaser(s): Temple Emanuel of Baltimore, Inc.
 HEARING SCHEDULED: TUESDAY, NOVEMBER 1, 1988 at 9:30 a.m.

Gentlemen:

Please be advised that \$93.14 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204, fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT
 No. 059010

DATE: Nov. 1, 1988 ACCOUNT: R-01-015-000

AMOUNT: \$ 93.14
 RECEIVED FROM: Temple Emanuel

FOR: Posting and Advertising 11/1/88 Hearing
89-164-X

VALIDATION ON SIGNATURE OF CASHIER

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Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 494-3353

J. Robert Haines
 Zoning Commissioner

September 23, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Exception
 CASE NUMBER: 89-164-X
 NW Corner Deer Park Road and Berryman's Lane
 4th Election District - 3rd Councilmanic
 Legal Owner(s): Irene E. Armstrong
 Contract Purchaser(s): Temple Emanuel of Baltimore, Inc.
 HEARING SCHEDULED: TUESDAY, NOVEMBER 1, 1988 at 9:30 a.m.

Special Exception: A synagogue and school building in an R-C-4 zone.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:

J. ROBERT HAINES
 Zoning Commissioner of Baltimore County
 cc: Ms. Irene E. Armstrong
 Ms. Sally Plette
 Temple Emanuel of Baltimore, Inc.
 File

IF PHASE II OF THE SNOW EMERGENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDULED FOR THURSDAY, 12/22/88. PLEASE TELEPHONE DOCKET CLERK (494-3391) TO CONFIRM.

Baltimore County
 Fire Department
 Towson, Maryland 21204-2586
 494-4500

Paul H. Reincke
 Chief

September 12, 1988

J. Robert Haines, Zoning Commissioner
 Office of Planning & Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

Re: Property Owner: Contract Purchaser - Temple Emanuel of Baltimore, Inc. Legal Owner Irene E. Armstrong
 Location: NW corner of Deer Park Road & Berryman's Lane
 Item No.: 64 Zoning Agenda: Meeting of 8/30/88

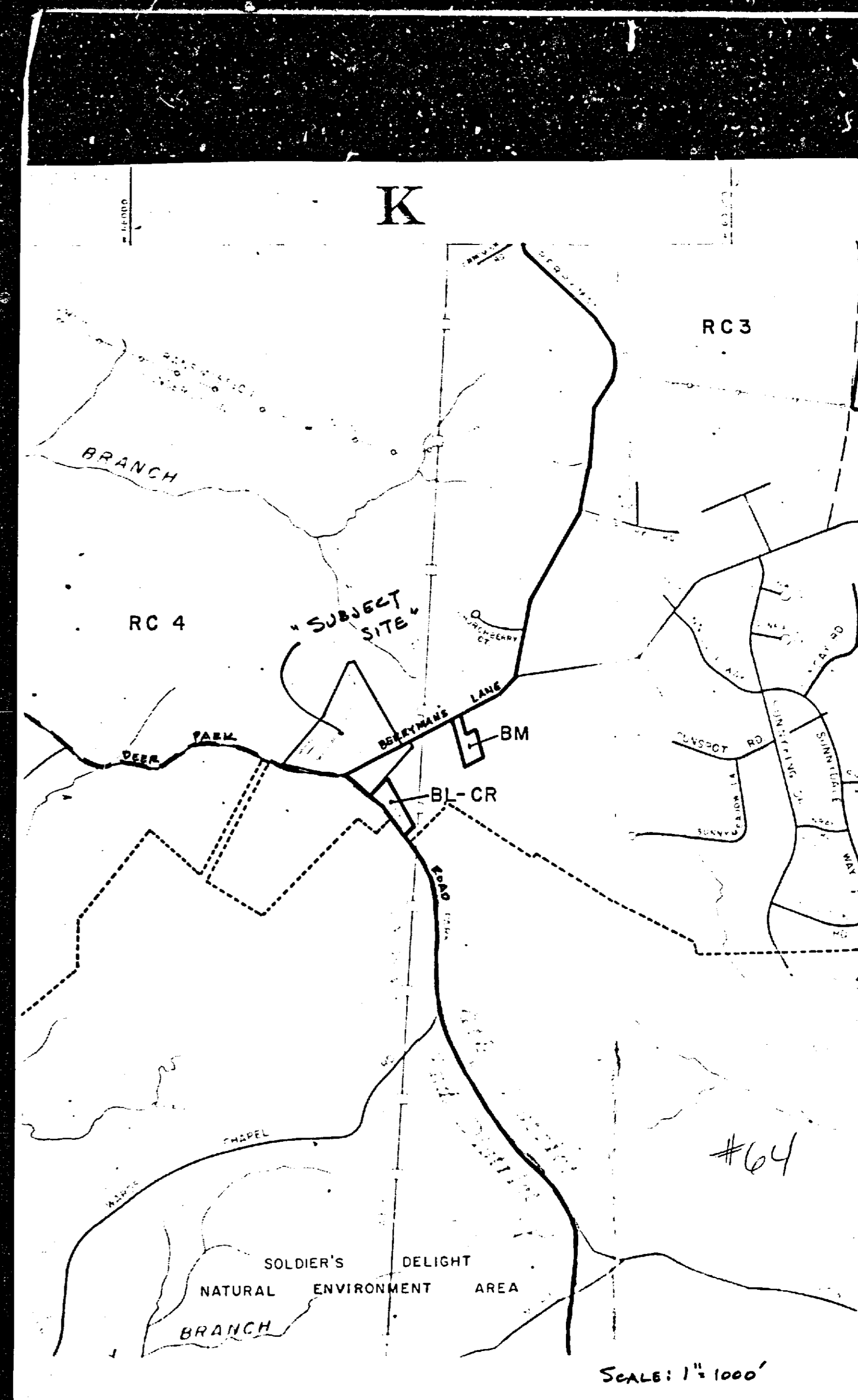
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. UPON DATE 10-17-1988 4-13-88 NOTED & APPROVED: John E. O'Neill
 Planning Group Fire Prevention Bureau
 Special Inspection Division
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Paul H. Reincke 4-13-88
 Planning Group
 Special Inspection Division

/s/



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE October 18, 1988

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

090

MEMBERS
 Bureau of Engineering
 Department of Traffic Engineering
 State Roads Commission
 Bureau of Fire Prevention
 Health Department
 Project Planning
 Building Department
 Board of Education
 Zoning Administration
 Industrial Development

Ms. Louise Kaufman-JACOBS, President
 Temple Emanuel of Baltimore, Inc.
 3301 Milford Mill Road
 Baltimore, Maryland 21207

RE: Item No. 64 - Case No. 89-164-X
 Petitioner: Temple Emanuel of Baltimore, Inc. -
 Contract Purchaser
 Irene E. Armstrong -
 Legal Owner
 Petition for Special Exception

Dear Ms. Kaufman-JACOBS:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:dt

cc: Irene E. Armstrong
 2812 Beechland Avenue
 Baltimore, Maryland 21214
 Paul Lee Engineering, Inc.
 304 W. Pennsylvania Ave.
 Towson, MD 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
Date: November 4, 1988

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Temple Emanuel
Zoning Petition No. 89-164-X

RECEIVED ZONING OFFICE
DATE: 11/4/88

The applicant is requesting a special exception to allow a religious and educational use in an RC-4 zone. In response to this request, staff provides the following information:

- * The project will be required to complete CRG review.
- * The RC-4 zone requires that the project meet specified criteria. A list of criteria is provided below:

	Required	Proposed
Lot Coverage	25%	Approximately 18-20%
Impervious Surface	10%	5-7% building and driveways - lot must be pervious lot computations based upon RC-4 zoned portion north of Berryman's Lane, southern portion of parcel has been rezoned from RC-4 to RC-5.
Tract wooded	retain woodland	Parcel has only scattered trees, limits of disturbance not an issue.

Staff has met with the developer's engineer and reconciled some of the zoning discrepancies on the site. Some site design issues such as parking lot layout, driveway location and ingress and egress can be worked out at CRG. Landscaping and perhaps a woodland management program should be reviewed and discussed. Based upon the analysis conducted and information provided, staff recommends approval of the applicant's request subject to the following:

- A landscape plan and possible woodland management program will be reviewed, discussed and approved by the County Landscape Planner; and
- the special exception shall only apply to the site plan as shown (use, size and location) or as amended via the CRG review and will not be uniformly applied to the lot.

FK/sf

November 29, 1988

Ms. Patricia M. Donahoe
6600 Deer Park Road
Reisterstown, Maryland 21136

Re:

Case Number: 89-164-X; NW Corner Deer Park Road and Berryman's Lane

Dear Ms. Donahoe:

Pursuant to your recent request, enclosed please find a copy of the Order relative to the above referenced matter.

With regard to the property at 4727 Old Court Road, Case number 89-02-SHH, a copy of the Order will be forwarded to you after same is issued.

If you have further questions, please do not hesitate to contact this office.

Very truly yours,

G. C. Stephens
Docket Clerk
887-3391

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

8/30/88
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 64, Zoning Advisory Committee Meeting of August 30, 1988

Property Owner: Irene E. Armstrong

Location: NW corner of Deer Park Rd. & Berryman's Lane District 4

Water Supply: private Sewage Disposal: private

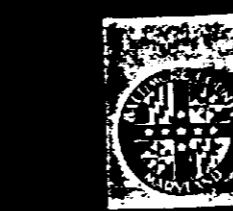
COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any chaff-broiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to testing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled.
- () Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- () Soil percolation tests, have been conducted.
- () The results are valid until _____.
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others: Soil evaluations and establishment of an acceptable sewage disposal area will be required prior to issuance of building permits. Additional information concerning construction, sewage etc. will be required prior to development. For further information contact Mr. Robert Bvick of this office at 494-2762.

Karen M. Marney
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
494-3354

RECEIVED ZONING OFFICE
DATE: 11/17/88

Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No.: 64
Property Owner: Irene Anderson
Location: N. side Deer Park Rd. & E.W. side of Berryman's La.

Existing Zoning: RC-4
Proposed Zoning: RC-4 w/special exception
Area: 18.08 acres

Dear Mr. Haines:

The County will be requiring right-of-way widenings, road widenings, and intersection improvements at Berryman's Lane & Deer Park Road.

These improvements can be resolved at the C.R.G. level.

The site should not use the entrance nearest to Berryman's Lane and Deer Park Rd. until the road improvements are completed.

Michael S. Flanagan
Traffic Engineer Associate II

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
887-3355

J. Robert Haines
Zoning Commissioner

November 17, 1988

Dennis F. Rasmussen
County Executive

Ms. Irene E. Armstrong

Ms. Kathleen Lisle
2812 Beechland Avenue
Baltimore, Maryland 21214

RE: PETITION FOR SPECIAL EXCEPTION
NW corner Deer Park Road and Berryman's Lane
4th Election District - 3rd Councilmanic District
Irene E. Armstrong - Petitioner
Case No. 89-164-X

Dear Ms. Armstrong:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

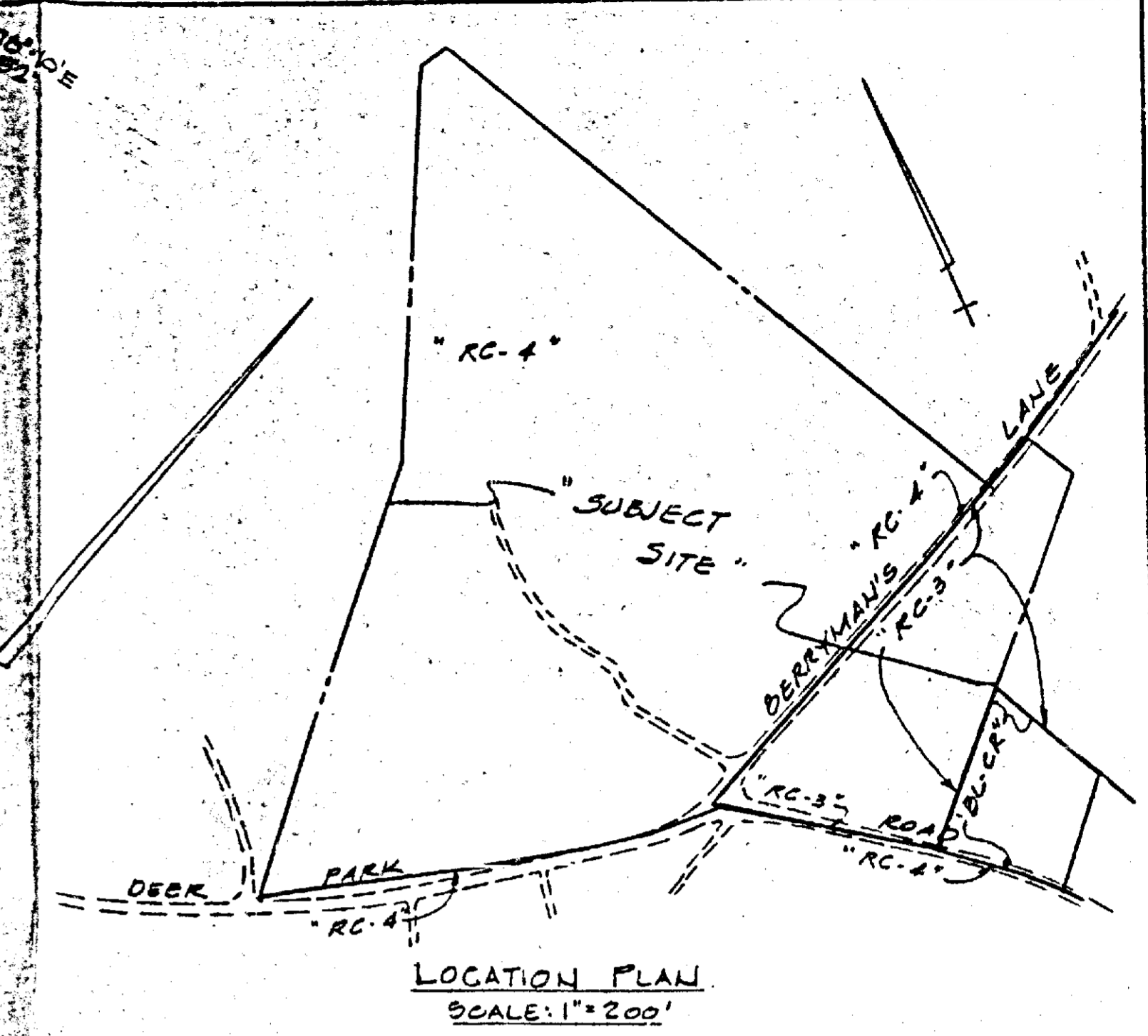
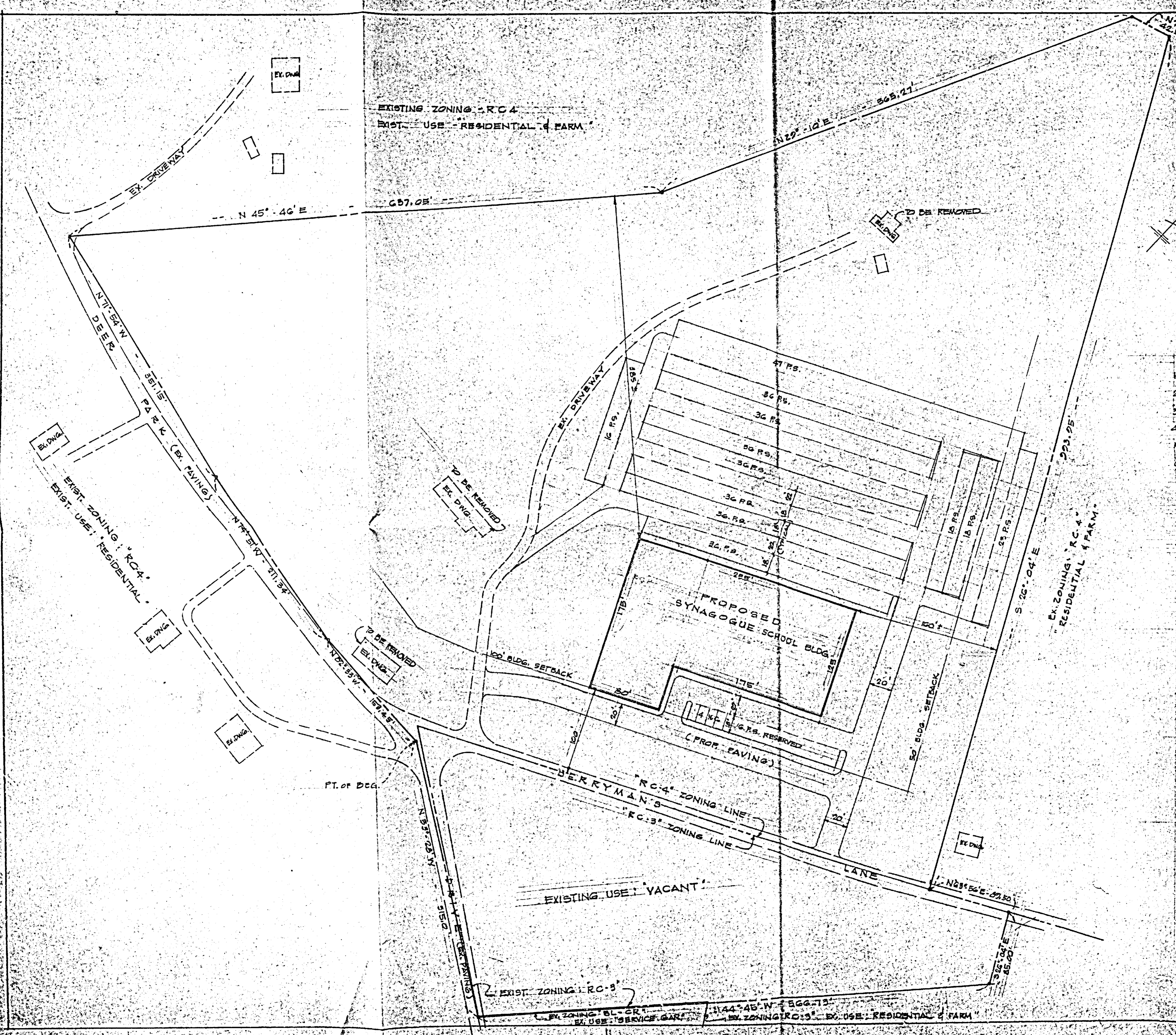
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: Richard Block, Esquire
20 S. Charles Street, Baltimore, Md. 21201Ms. Sally Plette
639 Main Street, Reisterstown, Md. 21136Ms. Jean Manelli
102 Sunny King Drive, Baltimore, Md. 21136Steve Osborne, Esquire
409 Washington Avenue, Towson, Md. 21204

People's Counsel

File



- GENERAL NOTES**
1. AREA OF TRACT = 18.08 AC ±
 2. EXIST. ZONING OF TRACT = RC-4
 3. EXIST. USE OF PROPERTY = RESIDENTIAL
 4. PROP. ZONING OF TRACT = RC-4 W/ SPECIAL EXCEPTION
 5. PROP. USE OF TRACT = SYNAGOGUE & SCHOOL BLDG.
 6. OFF STREET PARKING REQ'D!
 SYNAGOGUE & SCH. BLDG = 35,875 SQ. FT. ±
 ESTIMATE NO. PEOPLE = 1500 (SANCTUARY) / 4 = 375
 SCHOOL (ONE/EMPLOYEE OR AS DETERMINED BY ZONING COM. = 6
 TOTAL = 381 P.S. REQ'D.
 7. NO. OF P.S. SHOWN = 387 (INCL. B.H.C.)
 8. PETITIONER REQUESTING & SPECIAL EXCEPTION TO PERMIT A CHURCH & SUNDAY SCHOOL IN A RC-4 ZONE.
 9. PROPERTY TO BE SERVED BY SEPTIC SYSTEM & WELL.

**PLAT TO ACCOMPANY PETITION
FOR
"SPECIAL EXCEPTION"**

18.08 AC. PARCEL N.S. DEER PARK RD. & E.W. SIDE
OF BERRYMAN'S LANE.
ELECT. DIST. 4 BALTO. CO., MD.
SCALE: 1" = 50' JULY, 1988

**PETITIONER'S
EXHIBIT 1**

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204



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